

Inf

TRANSMITTAL LETTER (General - Patent Pending)	Docket No. LEVL110
---	------------------------------

In Re Application Of: **DANE SCARBOROUGH**

Application No. 10/785,605	Filing Date 02/23/2004	Examiner BENNETT, GEORGE B.	Customer No. 21,658	Group Art Unit 2859	Confirmation No. 3179
--------------------------------------	----------------------------------	---------------------------------------	-------------------------------	-------------------------------	---------------------------------

Title: **TOP READ MARKING TAPE MEASURE**

COMMISSIONER FOR PATENTS:

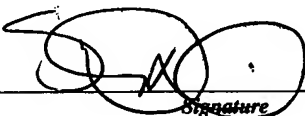
Transmitted herewith is:

**COPY OF OFFICE COMMUNICATION RE: FEE FOR TERMINAL DISCLAIMER
RETURN RECEIPT POST CARD**

in the above identified application.

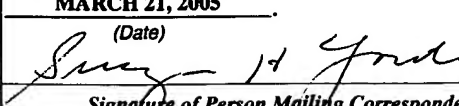
- ☐ No additional fee is required.
- ☒ A check in the amount of \$130.00 is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. as described below.
 - ☐ Charge the amount of
 - ☐ Credit any overpayment.
 - ☐ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: **MARCH 21, 2005**

**STEPHEN M. NIPPER
DYKAS, SHAVER & NIPPER, LLP
PO BOX 877
BOISE, ID 83701-0877
(208) 345-1122
REG. NO. 46,260**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on MARCH 21, 2005 (Date)	
 Signature of Person Mailing Correspondence	
SUEZANN H. YORITA Typed or Printed Name of Person Mailing Correspondence	

03/25/2005 SSESHE1 00000001 10785605

01 FC:1051 130.00 DP

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,605	02/23/2004	Dane Scarborough	LEVL110	3179

21658 7590 03/15/2005

DYKAS, SHAVER & NIPPER, LLP
P.O. BOX 877
102 WEST BANNOCK STREET, SUITE 405
BOISE, ID 83701

EXAMINER

BENNETT, GEORGE B

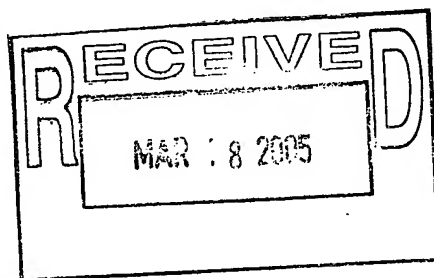
ART UNIT PAPER NUMBER

2859

DATE MAILED: 03/15/2005



Please find below and/or attached an Office communication concerning this application or proceeding.



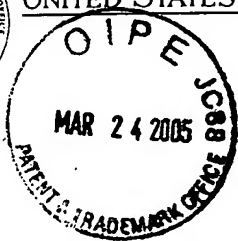
CALENDAR
DUE 4/15/05
BY [signature]



UNITED STATES PATENT AND TRADEMARK OFFICE

101785605

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov



Paper No.

NOTICE OF FEE DEFICIENCY

The informality regarding the payment of the fee is indicated below in connection with

- ☐ the original filing of the application and/or preliminary amendment (e.g. additional claim fees)
- ☐ the reply filed on _____ . The reply is not fully responsive to the prior Office action because of the _____ following matter(s). See 37 CFR 1.111 and 37 CFR 1.135.

FEE(S) DUE

- ☐ 1. The reply (e.g., amendment) is considered incomplete in that the funds in Deposit Account No. _____ are insufficient to cover the entire fee due. The balance* is due within the time period set below.
- ☐ 2. The reply (e.g., amendment) is considered incomplete in that the Credit Card payment to cover the entire fee due to _____ Account (Card type + last 4 digits ONLY) was refused. The balance* is due within the time period set below.
- ☐ 3. The reply (e.g., amendment) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record. Remittance or authorization is due within the time period set below.
- ☐ 4. The filing fee of \$ _____ submitted in this application is insufficient. A balance of \$ _____ is due for presentation of excess claims (37 CFR 1.16(b) & (c)).
- ☒ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due):

\$130 is NEED for Terminal Disclaimer

APPLICANT IS GIVEN A TIME PERIOD OF ONE (1) MONTH or THIRTY (30) DAYS FROM THE MAILING DATE OF THIS NOTICE, WHICHEVER IS LONGER, WITHIN WHICH TO REMIT THE FEE OF \$ _____ IN ORDER TO AVOID ABANDONMENT. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

THE INDICATED AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE YEARLY ON OCTOBER 1 (37 CFR 1.16 & 1.21). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS NOT NECESSARILY THE FEE INDICATED ABOVE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS POSTED ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

*Service Charges: There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

Mark Short
Legal Instruments Examiner (LIE) or Clerk of Group

Inquires regarding this Notice should be addressed to the above at (571) 272-1618 (insert Phone Number).